

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re **PATENT** application of

Applicant: Lang, Karl  
Serial No.: 09/765,112  
Art Unit: 1797  
Filing Date: 18 Jan 2001  
Title: ANALYZER SYSTEM AND DRIVE  
MECHANISM FOR SAME  
Examiner: Wright, P. Kathryn  
Docket No.: MTI 1877-141

**CORRECTION OF NON-COMPLIANT APPEAL BRIEF**

**Filed electronically on 10 December 2008**

In a Notification of Non-Compliant Appeal Brief mailed on 8 December 2008, the Patent Appeals Center Specialist has correctly noted a typographical error in the appeal brief submitted on 17 November and has required correction of the error. Attached is a replacement page 10, in which the first "Grounds of Rejection to Be Reviewed upon Appeal" is corrected to cover "claims 2-29 and 35-38" instead of "claims 2-29 and 35-39" as previously indicated. A review of the remaining pages of the brief reveals that page 10 is the only page requiring correction.

The applicant thanks the Patent Appeals Center Specialist for a brief telephone interview on 10 December regarding the preferred manner to make this correction.

No fees are believed to be due, but if there is a fee deficiency, please charge Deposit Account 19-4076.

Ser. No 09/765,112

Date: 10 December 2008

Respectfully submitted,  
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**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

**1. THE REJECTION OF CLAIMS 2-29 AND 35-38 UNDER 35 U.S.C. § 103(A) AS OBVIOUS OVER U.S. PATENT 3,552,212 TO OHLIN (OHLIN '212) IN VIEW OF US PATENT 5,650,122 TO HARRIS (HARRIS '122) IS PRESENTED FOR REVIEW.**

**2. THE REJECTION OF CLAIMS 2-29, 35 AND 37-38 UNDER 35 U.S.C. § 103(A) AS OBVIOUS OVER U.S. PATENT 4,338,280 TO AMBERS (AMBERS '280) IS PRESENTED FOR REVIEW.**